

Richard E. Leff, Esq. (RL-2123)
McGIVNEY & KLUGER, P.C.
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

Attorneys for Defendants:

NATIONAL ASSOCIATION OF SECURITIES DEALERS,
INC., NASDAQ STOCK MARKET, INC., THE AMERICAN
STOCK EXCHANGE, LLC, AMERICAN STOCK
EXCHANGE CLEARING LLC, AMERICAN STOCK
EXCHANGE REALTY ASSOCIATES LLC and NEW YORK
CITY INDUSTRIAL DEVELOPMENT AGENCY
(REGARDING PROPERTIES LOCATED 1 LIBERTY
PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY
PLACE, NEW YORK, NEW YORK, ONLY)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 103 (AKH)

JOSEPH G. MALVINO (AND WIFE, MARILYN
MALVINO)

Docket No.: 08-CV-4947

Plaintiff(s),

**NOTICE OF ADOPTION OF
ANSWER TO MASTER
COMPLAINT**

-against-

ABATEMENT PROFESSIONALS, *et al.*,

ELECTRONICALLY FILED

Defendant(s).

-----X

PLEASE TAKE NOTICE that Defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY), by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 10, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 103 (AKH).

WHEREFORE, the defendants, NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., NASDAQ STOCK MARKET, INC., THE AMERICAN STOCK EXCHANGE, LLC, AMERICAN STOCK EXCHANGE CLEARING LLC, AMERICAN STOCK EXCHANGE REALTY ASSOCIATES LLC and NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY (REGARDING PROPERTIES LOCATED 1 LIBERTY PLAZA, NEW YORK, NEW YORK AND 78/86 TRINITY PLACE, NEW YORK, NEW YORK, ONLY), by their attorneys, McGIVNEY & KLUGER, P.C., demand judgment dismissing the above-captioned action as against them, together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
August 28, 2008

Yours etc.,

McGIVNEY & KLUGER, P.C.

Attorneys for Defendants

NATIONAL ASSOCIATION OF SECURITIES
DEALERS, INC., NASDAQ STOCK MARKET, INC.,
THE AMERICAN STOCK EXCHANGE, LLC,
AMERICAN STOCK EXCHANGE CLEARING LLC,
AMERICAN STOCK EXCHANGE REALTY
ASSOCIATES LLC and NEW YORK CITY
INDUSTRIAL DEVELOPMENT AGENCY
(REGARDING PROPERTIES LOCATED 1 LIBERTY
PLAZA, NEW YORK, NEW YORK AND 78/86
TRINITY PLACE, NEW YORK, NEW YORK, ONLY)

By: 

Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

TO: WORBY GRONER & NAPOLI BERN, LLP
Plaintiffs Liaison
In Re Lower Manhattan Disaster Site
Litigation
115 Broadway, 12th Floor
New York, New York 10006
(212) 267-3700

All Defense Counsel